

VIRGINIA ROANOKE RIVER BASIN ADVISORY COMMITTEE

Draft Minutes

Monday, August 27, 2012

Visitor's Center at Kerr Dam and Reservoir, Boydton, VA

VRRBAC members present

Senator Frank Ruff, Delegates James Edmunds, Tommy Wright, and Charles Poindexter, Mike McEvoy, Tim Pace, Bill Lindenmuth, John Feild, Haywood Hamlet, Evelyn Janney, Bob Jean, John Lindsey, Billy Martin, and Read Charlton

Staff present

Tammy Stephenson, VA DEQ

Call to Order

Chairman McEvoy called the meeting to order. All members and guests were introduced.

Minutes

The minutes of the May 14, 2012 were approved upon a motion by Mr. Charlton, seconded by Senator Ruff, and unanimous vote of the Committee

Other Issues

Chairman McEvoy asked if there were other issues besides uranium mining that needed consideration by the Committee, as he anticipated most of the meeting would focus on this.

John Feild mentioned that he attended a meeting on Roanoke River Modeling, which was sponsored by NC DENR and included representatives from VA DEQ and consultants involved with the project.

Resolution regarding Virginia's moratorium on uranium mining

Chairman McEvoy explained VRRBAC's position on the uranium mining issues was to wait on the completion and evaluation of the various studies focusing on uranium mining and milling before taking a formal position. As this has occurred, and VA VDH has held meetings to gain public comment, etc. Additionally, the North Carolina delegation forwarded a resolution to the VA delegation for consideration. Chairman McEvoy said the VRRBAC could take one of the following actions:

- Take no action
- Take action in support of lifting the ban on uranium mining in Virginia
- Take action to oppose lifting the ban on uranium mining in Virginia
- Take action on a hybrid of these (i.e., site specific)

The VRRBAC needed to consider taking some type of action to advise the Virginia delegation of the Bi-State Commission.

Chairman McEvoy added that it is his understanding that there would be several agencies in Virginia that would oversee the uranium mining and milling, should it be allowed. These would include the following Virginia agencies: Department of Mines, Minerals, and Energy, Department of Environmental Quality, Department of Health, and the Department of Conservation and Recreation, as well as the Nuclear Regulatory Commission (NRC).

Delegate Wright said the action at the last Bi-State Commission was to adopt the North Carolina delegation's resolution in concept and to send to the VRRBAC for input. The previous request to not act on the uranium mining ban until the studies were completed was honored by the General Assembly. However, another committee was formed to establish regulations for uranium mining and milling. He felt strongly that a message needs to be sent that opposes uranium mining in Virginia.

Delegate Poindexter said new information had been presented to him that he was not aware of when the Bi-State Commission previously met. He now understands that the Norfolk water treatment plant can treat water for Virginia Beach in case of a uranium mining release, same for Dinwiddie. Additionally, he learned that there had been a commitment that the tailings would be stored underground, should uranium mining be allowed.

Senator Ruff said he was sure that the Clarksville water treatment plant could not handle treatment in case of a uranium release, and he suspected the same for Halifax. He thought the VRRBAC needed to deal with its citizens' health and well being. 'If something is perceived to be, it will be.' The area works hard to attract industries and they need to do everything to not detract industries from locating in the basin. Delegate Edmunds agreed, perception is reality. He has not read the entire Virginia Beach report, but understands the Virginia Beach water treatment facility could handle a uranium release; however, he is still opposed to lifting the ban.

Mr. Feild said regarding storing the tailings underground, he understands that once the material is milled, bulk increases and all the material could not go into the original hole.

Mr. Charlton mentioned that if the moratorium was lifted, the whole state would be subject to uranium mining, not just Coles Hill. He questioned what the responsibility would be for the state, and the people in the region beyond this generation.

Mr. Feild said he learned that if the ban was lifted, each site could have its own milling operation, or materials could be transported to consolidated milling site(s). If that happened, many people could be exposed.

Delegate Wright made a motion for VRRBAC to go on record opposing lifting the ban on uranium mining. Mr. Lindsey seconded the motion. There was discussion.

Delegate Poindexter mentioned that whatever action the General Assembly might pass in 2013 on this issue could take care of the import/export of millings concern. Also, the ban could be lifted only on the Coles Hill site rather than for the entire state.

Mr. Jean said he did not see the wisdom in making a decision until all the information is in. He thought the ban should stay in place until the Governor's report was completed.

Delegate Wright said he thought the Governor's report was getting the cart before the horse, getting regulatory framework in place before the ban is lifted. He expects things will move fast and the VRRBAC cannot wait.

Delegate Edmunds agreed, stating the VRRBAC needed to act now, to let the Bi-State Commission know VRRBAC's thoughts on the issue.

Mr. Hamlet presented the VRRBAC with a resolution from the Charlotte County Board of Supervisors asking that the moratorium on uranium mining be continued. This resolution is a part of the minutes of the VRRBAC meeting.

Senator Ruff added that the Governor deserves thanks, as the ban could have been considered last year.

Following further discussion, the motion passed with majority vote of those present. Delegate Poindexter abstained from the motion and Bob Jean opposed the motion.

The next item for discussion was wording in the resolution opposing lifting the ban on uranium mining. Delegate Wright made a motion to accept the draft as presented by Chairman McEvoy. He added that the Bi-State Commission could consider the wording. Mr. Feild seconded the motion.

Senator Ruff made a substitute motion to adopt the resolution with a few changes. Mr. Hamlet seconded the motion. Delegate Wright agreed and withdrew his original motion. The resolution was changed as follows:

A Resolution Advising the Virginia Delegation to the Roanoke River Basin Bi-State Commission on the Mining and Milling of Uranium in Virginia

WHEREAS, the Virginia Roanoke River Basin Advisory Committee has been established in the executive branch of state government as an advisory committee to the Virginia Delegation of the Roanoke River Basin Bi-State Commission for the purpose of assisting the Delegation in fulfilling its duties and carrying out the objectives of the Commission, pursuant to Virginia Code § 62.1-69.39; and

WHEREAS, the Roanoke River Basin Bi-State Commission is a body created by legislation enacted by the Commonwealth of Virginia and the State of North Carolina, Virginia Code §62.1-69.37 and N.C.G.S. §77-91, in part to provide guidance, conduct joint meetings, and make recommendations to local, state and federal legislative and administrative bodies, and to others as it deems necessary and appropriate, regarding the use, stewardship, and enhancement of the Basin's water and other natural resources; and

WHEREAS, the Commonwealth of Virginia has deposits of uranium in various regions, including deposits located in the Roanoke River Basin, including the Coles Hill deposit with at least one, the Coles Hill deposit, being of significant economic value, the mining of which has been prohibited by legislative moratorium since 1982 by an act of the Virginia General Assembly; and

WHEREAS, at the request of the Virginia Coal and Energy Commission, the National Academics of Sciences (NAS) has completed a study entitled Uranium Mining in Virginia: Scientific, Technical, Environmental, Human Health and Safety, and Regulatory Aspects of Uranium Mining and Processing in Virginia which, along with other reports sponsored by various interested parties, have explored the risks and benefits of uranium mining; and

WHEREAS, significant opposition to the mining and milling of uranium has been expressed by local governments, citizen organizations, and landowners in the Roanoke River Basin;

NOW, THEREFORE, THE VIRGINIA ROANOKE RIVER BASIN ADVISORY COMMITTEE RESOLVES TO ADVISE THE VIRGINIA DELEGATION TO THE ROANOKE RIVER BI-STATE COMMISSION THAT:

- 1. Uranium mining and milling in Virginia has unique challenges associated with extreme natural events. The Commonwealth's climate and hydrology are expected to support positive water balances at specific mining sites.*
- 2. Virginia has experience regulating hard rock and coal mining, as well as monitoring electrical production at nuclear power plants, but the Commonwealth has no regulatory structure to address uranium mining and no experience with such operations. The federal agency with oversight responsibilities for uranium milling has little experience at locations with a positive water balance.*
- 3. The long term risks of tailings disposal are poorly defined. An off-site release of radioactive compounds or heavy metals from the operation proposed at the Coles Hill site would negatively impact communities that rely on the Roanoke River Basin's water resources for potable water, tourism and agricultural production as well as basin's fisheries and wildlife. Such impacts are likely to be a combination of actual damages and public perception of contamination.*
- 4. These risks, as well as others highlighted in the NAS report, support a conclusion that the prohibition on uranium mining in Virginia should remain in place. The Virginia Delegation should work cooperatively with their counterparts from North Carolina to express to the Virginia General Assembly support for preservation of the uranium mining prohibition.*

Adopted this the 27th day of August 2012.

Chairman McEvoy said he would like to have an election of officers for the next meeting, as he has served as chair for a while (and is now chairman for the Bi-State Commission). He asked that anyone interested in serving to let him know. Mrs. Stephenson will poll members for the next meeting date.

As there was no further business, meeting adjourned.